



CITY OF GLOUCESTER
ZONING BOARD OF APPEALS
3 POND ROAD, GLOUCESTER MA 01930

ZONING BOARD OF APPEALS

Meeting Minutes

7:00 P.M., February 22, 2018

Kyrouz Auditorium

City Hall

Board Members Present: Francis S. Wright, Chairman
Michael C. Nimon
Sage Walcott
Alternates: Kris Howard
Adria Reimer-Nicholosi

The Chairman called the meeting to order at 7:00 p.m.

Previous meeting minutes of November 9, 2017, December 14, 2017, and January 11, 2018 and January 25, 2018 submitted for review, Kris Howard motioned and Michael Nimon seconded to accept as is.

Continued Business:

None.

New Business:

None.

New Hearings:

77 Langsford St: Continued to March 8, 2018 no quorum

31 Old Salem Rd: Prior to his presentation the applicant, Mr. Jabba was given a copy of a memo from Mike Hale, Director of Public Works to review. Mr. Wright explained the nature of the memo from Mr. Hale of DPW, conversation regarding frontage, what is required, where it would come from, right of way and easements ensued between board members. Applicant provided a plan that showed where the home, when built, would be situated. Mr. Wright indicated he would like to speak with City Council and Mr. Hale of DPW before a vote of the board.

Speaking in favor: No one

Speaking in opposition: William Fonvielle, 27 Old Salem Road, he is not necessarily opposed to this project; his concerns are with the property, which is very wet and the corner with the frontage has been a source of run off in the road for a very long time. He feels the landowner is responsible for containing the water coming from the property and that is not happening.

David Santomenna, The Trustees.Org., The Trustees submitted a letter which the board reviewed, stating their concerns about the impact of a home on this property. They are the Trustees of Ravenswood Park and there are trail systems that cross the property. The Trustees would like reassurance that the landowner will add a forested/vegetated buffer zone to which he has not yet committed.

Sara Valentsik, 29 Old Salem Rd spoke of water concerns it flows through and across the street and into their property, the concern is with managing the water issue, not their desire to build a home. She wanted these concerns on the record.

Mr. Nimon motioned to continue the hearing to March 8, 2018, Ms. Reimer seconded.

5 Beckford St: Nikki Bach, General Contractor, 29 Woodbury St presents with Pietro DiMercurio this evening requesting a special permit and variance to convert from a two family to three family home.

Mr. Walcott motioned to approve the application, Mr. Howard seconded

Vote of the board: Approved

Voting in favor: Mr. Walcott, Mr. Howard, Ms. Reimer, Mr. Nimon, Mr. Wright

5 High St: Continued to March 8, 2018, no quorum

6 Harbor Rd: Mark Bergeron presents this evening with the applicant; the home has an apartment in the basement. This was a private sale; the validity and legality of the apartment was not investigated prior to the purchase. It has now becomes known that this is not a legal apartment. Ten thousand square feet per dwelling unit is required; the lot is 15,900 square feet.

Speaking in favor: No one.

Speaking in opposition: David Amero, 3 Harbor Road, related history of the “apartment”, he moved to the neighborhood 30 years ago. The previous owner’s family moved in with them so they created two bedrooms in the basement; as the children grew older, they created an “apartment” in the basement. He spoke of the last time Mr. Fingert was in before the board asking to expand, indicating he wanted to do this to accommodate visiting family when he was advertising and renting this apartment out to non-family members. As a non-resident of the home, the owner is not there to monitor the behavior of renters and that can lead to more issues.

Patricia Poore, 10 Harbor Rd, agrees with previous speaker, concern for precedent in the future, one-way street in summer, and concerns for multiple rentals would add unnecessary traffic. She purchased her home in 1992 due to the fact it is a single-family neighborhood. Watching this neighborhood evolve over the years and is very concerned about the precedent that could be set. She would like to see the character of the neighborhood remain as it is.

Mr. Bergeron stated they are trying to right a wrong by making this apartment legal. There was no plan for a third unit in the initial application; it was only a second floor addition. He wanted that clarified. He feels the condominiums at the head of the street represent multi-family, not trying to change neighborhood, have a large family and are there in the summer.

Howard Fingert, owner of the property stepped forward and stated that he appreciated the time the board took to review and vote on this application; as well, he appreciates what he heard during these meetings and will work to be a good neighbor and home owner going forward.

Vote of the board: Granted

Voting in favor: Ms. Reimer, Mr. Nimon, Mr. Walcott, Mr. Howard, Mr. Wright.

17 Landing Rd: Applicant Judy Rose presents this evening for a height exception as well as permit to demolish and rebuild their home. The pitch of the roof would be above the allowed 30 foot height allowance, due to the use of a metal roof. The applicant contacted all neighbors that she could get in touch with and they have been notified; there was only one neighbor she was unable to contact. The abutter directly behind the home is in support of the project.

No one spoke in favor or against the application.

Vote of the board: Approved

Voting in favor: Mr. Nimon, Mr. Walcott, Mr. Howard, Ms. Reimer, Mr. Wright

1057 Washington St: The applicant Courtney Hayes presents this evening with her General Contractor, Nikki Bach. The request is to expand from a single family to a two family home to accommodate aging parents that will live with her so that she may provide care.

Speaking in opposition: Ernie Bruneau, 20 High Street, abutter directly behind applicant, building an addition will block the view and air corridor that he has at this time. Originally, he and his wife had signed a petition in support of the project but after further review and consideration, they do not feel that they can support this as it affects their property in a negative way.

General Contractor, Nikki Bach, assisted applicant with the project, many hours put into this design, the property is mostly fill, which is difficult to build a foundation on, and building from the side of the house was more feasible.

Vote of the board: Granted

Voting in favor: Mr. Nimon, Mr. Walcott, Mr. Howard, Ms. Reimer, Mr. Wright.

Mr. Howard motioned to close the Public hearings and Mr. Wright seconded the motion.

After reading the required Executive Session preamble, Chair Francis S. Wright stated, "I hereby announce that the roll call vote for Executive Session is 5 in favor 0 opposed. We shall now convene into Executive Session and will not reconvene as the public meeting has ended."

The Executive Session convened at 8:55 p.m. ended at 9:59p.m. by roll call vote. No other motions were entertained during the Executive Session.

By unanimous consent, the Zoning Board of Appeals voted to adjourn Executive Session and not reopen the prior closed public hearing in the Kyrouz Auditorium.

Roll call: Mr. Walcott, Mr. Nimon, Ms. Reimer, Mr. Howard, Mr. Wright

Mr. Howard motioned to adjourn at 9:59 p.m. and was seconded by Mr. Nimon.

Meeting adjourned